

PREVAILED

Roll Call No. _____

FAILED

Ayes _____

WITHDRAWN

Noes _____

RULED OUT OF ORDER

HOUSE MOTION _____

MR. SPEAKER:

I move that House Bill 1001 be amended to read as follows:

- 1 Page 106, between lines 2 and 3, begin a new paragraph and insert:
2 "SECTION 61. IC 5-22-17-5.5 IS ADDED TO THE INDIANA
3 CODE AS A **NEW** SECTION TO READ AS FOLLOWS
4 [EFFECTIVE UPON PASSAGE]: **Sec. 5.5. (a) No agency of the state**
5 **may:**
6 (1) enter into a contract with; or
7 (2) make a grant to;
8 **a person who fails to make a report of child abuse or neglect under**
9 **IC 31-33-5, if the contract or grant involves the expenditure of**
10 **state funds or federal funds administered by the state.**
11 **(b) No state funds or federal funds appropriated by or**
12 **administered by the state may be used for any contract with or**
13 **grant made to a person who is not in compliance with IC 31-33-5.**
14 **(c) Any appropriation by the state:**
15 (1) in a budget bill;
16 (2) under IC 5-19-1-3.5; or
17 (3) in any other law of the state;
18 **to pay for a contract with or grant made to a person who is not in**
19 **compliance with IC 31-33-5 is canceled, and the money**
20 **appropriated is not available for payment of any contract or grant**
21 **with money from an appropriation that is canceled under this**
22 **subsection.**
23 **(d) For any contract with or grant made to a person covered**
24 **under subsection (c), the budget agency shall make a determination**

1 **that funds are not available and the contract or grant shall be**
 2 **terminated under IC 5-22-17-5."**

3 Page 112, between lines 29 and 30, begin a new paragraph and
 4 insert:

5 "SECTION 82. IC 31-9-2-133 IS AMENDED TO READ AS
 6 FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 133. (a) "Victim of
 7 child abuse or neglect", for purposes of IC 31-32-11-1 and IC 31-33
 8 **(excluding IC 31-33-5)**, refers to a child in need of services as
 9 described in:

10 (1) IC 31-34-1-1 through IC 31-34-1-5;

11 (2) IC 31-34-1-10; or

12 (3) IC 31-34-1-11.

13 ~~(b)~~ The term does not include a child who is alleged to be a child in
 14 need of services if the child is alleged to be a victim of a sexual offense
 15 under IC 35-42-4-3 unless the alleged offense under IC 35-42-4-3
 16 involves the fondling or touching of the buttocks, genitals, or female
 17 breasts.

18 **(b) "Victim of child abuse or neglect", for purposes of**
 19 **IC 31-33-5, refers to a child in need of services described in:**

20 **(1) IC 31-34-1-1 through IC 31-34-1-5;**

21 **(2) IC 31-34-1-10; or**

22 **(3) IC 31-34-1-11."**

23 Renumber all SECTIONS consecutively.

(Reference is to HB 1001 as printed February 17, 2009.)

Representative Walorski